

House File 2337 - Introduced

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A BILL FOR

1 An Act requiring motor fuel dealers to assist disabled
2 individuals obtaining motor fuel from motor fuel pumps, and
3 providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 214.1, Code 2014, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 01. "*Americans with Disabilities Act*
4 *of 1990*" includes Tit. III of the federal Americans with
5 Disabilities Act of 1990, as provided in 42 U.S.C. §12181 et
6 seq., its implementing regulations, including 28 C.F.R. pt. 36,
7 and the 2010 standards for accessible design published by the
8 United States department of justice.

9 Sec. 2. NEW SECTION. 214.12 **Accessibility of motor fuel**
10 **pumps — rules.**

11 1. A retail dealer operating a retail motor fuel site that
12 is not required to comply with the Americans with Disabilities
13 Act of 1990 shall offer refueling assistance upon the request
14 of a customer who is a person with a disability. However, such
15 assistance is not required to be provided at any time that the
16 retail motor fuel site is operating on a remote control basis
17 with less than two employees on duty at the retail motor fuel
18 site. The retail dealer shall display a sign in a conspicuous
19 location on the premises of the retail motor fuel site which
20 notifies customers of the hours that refueling assistance is
21 available and provides a telephone number of a contact person
22 who is available to provide refueling assistance as provided
23 in this subsection.

24 2. A customer shall not incur any additional expense for
25 requesting refueling assistance as provided in this section.

26 3. The department shall adopt rules to provide standards
27 for retail dealers operating retail motor fuel sites in
28 implementing the provisions of this section.

29 4. A person violating this section is subject to a civil
30 penalty of not more than one hundred dollars.

31 **EXPLANATION**

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 **GENERAL.** This bill provides that a retail dealer of motor
35 fuel who sells gasoline or diesel fuel at a motor fuel pump

1 (pump) located at a retail motor fuel site (site) who is not
2 required to comply with the federal Americans with Disabilities
3 Act of 1990 (ADA) must provide assistance to a disabled
4 customer in obtaining motor fuel from a pump without charging
5 an additional fee. The retail dealer is not required to
6 provide such assistance when the motor fuel pump is operating
7 on a remote control basis and fewer than two employees are on
8 duty.

9 The bill requires a retail dealer to display a sign
10 notifying customers of the hours that refueling assistance is
11 available and the telephone number of a person who may provide
12 assistance.

13 ENFORCEMENT. The department of agriculture and land
14 stewardship (DALS) inspects motor fuel pumps as part of its
15 regulation of weights and measures (Code chapter 214).

16 PENALTY. A retail dealer in violation of the bill's
17 requirement is subject to a civil penalty of not more than
18 \$100.